MINUTES
OXNARD CITY COUNCIL
Regular Meeting
November 13, 2018

A. ROLL CALL/POSTING OF AGENDA

At 5:02 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council (concurrently with the Oxnard Community Development Successor Agency) in the City Hall Council Chambers, 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Bryan A. MacDonald, Oscar Madrigal, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Bert Perello was absent (arrived at 5:07 p.m.).

Staff members present were Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Jesús Nava, Assistant City Manager; Ashley Golden, Interim Assistant City Manager; Steve Naveau, Human Resources Director; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None)

C. CLOSED SESSION

Mayor Flynn read the following closed session statement:

"The City Council will recess to a closed session pursuant to Government Code section 54956.9(d)(4), based on existing facts and circumstances, to decide whether to initiate litigation in one potential case. The City Council will also recess to a closed session, pursuant to Government Code section 54957.6(a), to review the status of labor negotiations and to review its available funds and funding priorities for the purpose of providing instructions to the City's negotiators regarding the organizations specified in Item C-2 of the meeting agenda."

At 5:03 p.m., the City Council recessed to a closed session. At 6:09 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

D. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Darwin Base, Fire Chief; Scott Whitney, Police Chief; Thien Ng, Assistant Public Works Director; Adam Smith, Economic Development Project Manager; Sandra Burkhart, Special Districts Manager; Kenneth Rozell, Assistant City Attorney; and Rosemarie Gaglione, Public Works Director.

E. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Councilmember Perello requested that item K-4 be heard ahead of item K-2.

Public comments were received from Woodrow Thomas Sr. (corrections on the City's response to his summons), Al Reeves (tree debris falling in the Imperial Oxnard neighborhood), "Jeremy" (tree debris falling in the Imperial Oxnard neighborhood), Walter Hagedohm (complimented Heritage Square and other Oxnard businesses), Ray Blattel (seeking responses to questions about wastewater facility maintenance), Jackie Tedeschi (recent General Election, appreciation for firefighters, importance of citywide representation), Lance Ralston (recent General Election, simplifying permit process), Lauraine Effress (recent General Election, communications during emergencies), Bill Clark (condition of Channel Islands Harbor seawalls), Pat Brown (recent General Election, providing hospitality to visiting firefighters), Tom Shideler (condition of Channel Islands Harbor seawalls), and Debbie Mitchell (funding for seawall repairs).

F. REPORT OF CITY MANAGER

The Police Chief gave a brief report of Police Department personnel's assistance during the recent Borderline Bar & Grill incident and the Woolsey/Hill wildfires, and announced a memorial service for slain Sheriff Sgt. Ron Helus. The Fire Chief gave a brief report of the Fire Department's contribution to battling the Woolsey/Hill wildfires.

G. CITY COUNCIL REPORTS

Councilmember Madrigal commented on recent Dia de los Muertos events, the Borderline Bar & Grill shooting, and the Woolsey/Hill wildfires in the Conejo Valley

Mayor Pro Tem Ramirez commented on the wildfires and climate change, gun violence and assistance for veterans, communications during emergencies and emergency preparedness, and the recent passing of Ventura County Airports Director Todd McNamee.

Councilman MacDonald acknowledged first responders and the military, expressed condolences to wildfire victims, and encouraged the community to continue providing assistance to those displaced by the fire.

Councilmember Perello commented on the recent election, the recent wildfires, support for families affected by the Borderline Bar & Grill shooting, communications during emergencies, and the importance of participating in elections.

Mayor Flynn expressed condolences on the recent passing of Todd McNamee, commended the firefighters battling the wildfires, and urged the community to continue to pull together.

H. REVIEW OF INFORMATION/CONSENT AGENDA

Item J-3 was discussed among the Council and staff.

I. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

Public comments were received from Lauraine Effress, Pat Brown, Audrey Keller, Werner Keller, Debbie Mitchell, Alicia Percell, Jackie Tedeschi, and Woodrow Thomas Sr.

J. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the October 23, 2018 Regular Meeting as presented.

City Manager Department

2. SUBJECT: Adoption of Sunshine Ordinance.
RECOMMENDATION: That City Council adopt **Ordinance No. 2948** adding Article IV to Chapter 2 of the City Code to establish local standards to ensure public access to open meetings (a Sunshine Ordinance).

3. SUBJECT: Adoption of City Council Committee Structure Ordinance.
RECOMMENDATION: That City Council adopt **Ordinance No. 2949** amending Chapter 2, Article I, Section 2-1 and adding Section 2-1.1 to the City Code regarding the regular City Council meeting schedule and establishing City Council committees.

Fire Department

4. SUBJECT: Appropriation for FEMA Grant.
RECOMMENDATION: That City Council approve a budget appropriation to recognize the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant FY 17 and matching funds in the total amount of $43,650 for the purpose of Swiftwater Rescue Training.

Police Department

5. SUBJECT: Agreement for Background Investigative Services.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a First Amendment to Agreement No. 7705-16-PO with Sintra Group in the amount of $100,000 to increase the amount to a total of $340,000 for background investigative services.

Public Works Department

6. SUBJECT: First Amendment to Agreement A-8005 for On-Call Engineering Services.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the First Amendment to Agreement No. A-8005 with MV Engineering, LLC to increase the agreement in an amount of $200,000 for a total not-to-exceed amount of $450,000.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the Information/Consent items as presented. VOTE: Flynn, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against item J-3. The motion carried 4-1 on item J-3, and 5-0 on the remaining items.

K. REPORTS

Economic Development Department

1. SUBJECT: Camino Del Sol Senior Apartments Affordable Housing Payment.
RECOMMENDATION: 1. That the Community Development Commission Successor Agency **Resolution No. 33** entitled "Resolution of the Board of Directors of the Oxnard Community Development Commission Successor Agency, Approving, and Recommending to its Oversight Board Approval of, (1) the Transfer of a Housing Asset to the City of Oxnard, in its Capacity as the Successor Housing Entity to the Oxnard Community Development Commission, Pursuant to the Provisions of the Dissolution Law, and (2) Related Actions to Effectuate the Transfer of the Housing Asset;" and
2. That the City Council adopt **Resolution No. 15,178** entitled "Resolution of the City Council of the City of Oxnard, California, in its Capacity as the Successor Housing Entity to the Oxnard Community Development Commission, Approving (1) the Acceptance of a Housing Asset from the Oxnard Community Development Commission Successor Agency, Pursuant to the Provisions of the Dissolution Law, and (2) Related Actions to Effectuate the Acceptance of the Housing Asset."

The Economic Development Project Manager gave a report. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

(Item K-4 was moved ahead of item K-2.)

Public Works Department

4. SUBJECT: Approval of First Amendment to Agreement for Ongoing Water Quality Sampling, a Nutrient Study, and a Long-Term Water Quality Plan at the Channel Islands Harbor.
RECOMMENDATION: That the City Council:
1. Approve and authorize the Mayor to execute the First Amendment to Agreement No. A-8093 with Aquatic Bioassay & Consulting Laboratories, Inc. in the amount of $306,045 for ongoing services relating to the Channel Islands Harbor water quality issue; and
2. Authorize a budget appropriation totaling $315,806, as follows - General Fund ($27,500), Waterways Zone 1 ($153,200), Waterways Zone 2 ($25,069), Seabridge CFD ($36,913) and Westport CFD ($36,211) - to fund the First Amendment to Agreement No. A-8093 and transferring funds from Project Z43801 – Seabridge Waterways TR5266 into Fund 173 ($36,913).

The City Manager, Special Districts Manager, Assistant City Attorney, and Public Works Director gave reports. Public comments were received from Meggie Hawthorne, Carol Taylor, Mike deMartino, Mike Schultz, Rocco Belmonte, Bill Clark, Tom Shideler, Debbie Mitchell, Audrey Keller, Werner Keller, Chuck Carter, Patricia Young, Robert Chatenever, Woodrow Thomas Sr., Alicia Percell, and Pat Brown. Written communications were received from Audrey Martinez-Keller. Discussion ensued among the Council and staff.

It was moved by Mayor Flynn, seconded by Councilman MacDonald, to approve the recommended action with an amendment to use Measure O money as the funding source, and with direction to staff to make a determination about other funding sources at a later time and work towards a "one harbor, one water" solution. (Councilmember Perello made a substitute motion to amend the Measure O funding amount to 50%, which died for the lack of a second.) VOTE: Flynn, MacDonald, and Ramirez voted in favor; Madrigal and Perello voted against. The motion carried 3-2.

(The meeting took a brief recess from 9:21 to 9:27 p.m.)

Fire Department

2. SUBJECT: Oxnard Fire Department Advanced Life Support Services.
RECOMMENDATION: That City Council adopt **Resolution No. 15,179** approving a paramedic differential for those Firefighters who are assigned to work as paramedics in the Advanced Life Support Program.

The Fire Chief gave a report. Public comments were received from Jackie Tedeschi. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Mayor Pro Tem Ramirez, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

Public Works Department

3. SUBJECT: Award Agreement for Biosolids Disposal.
RECOMMENDATION: That the City Council award and authorize the Mayor to execute Agreement Number A-8103 with Holloway Environmental Solutions LLC in the amount of $3,900,000 for a three-year period for biosolids disposal services.

The Assistant Public Works Director gave a report. No public comments were received. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Flynn, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 5-0.

N. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:40 p.m.

Michelle Ascencion
MICHELLE ASCENCION, CMC
City Clerk

Tim Flynn 12/4/18
TIM FLYNN
Mayor